



Form Approved
OMB No. 2040-0003
Approval Expires 7-31-85

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

NPDES Compliance Inspection Report

Section A: National Data System Coding

Transaction Code										NPDES										yr/mo/day				Inspec. Type		Inspector		Fac Type	
1	N	2	5	3	A	R	R	1	5	1	9	5	9	11	12	0	7	0	4	2	0	17	18	W	19	S	20	2	
Remarks																													
A	F	I	N		7	2	-	0	1	7	6	3																	
Inspection Work Days				Facility Evaluation Rating						BI		QA		Reserved-----															
67				69	70	N	71	N	72	N	73			74	75												80		

Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number) St. James Park Subdivision Mt. Comfort & Hughmount Rd. Fayetteville, Arkansas	Entry Time/Date 1105 / 04-20-07	Permit Effective Date 09/11/06
	Exit Time/Date 1320 / 04-20-07	Permit Expiration Date March 31, 2008

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Juan Zarate, Utilities Foreman, 479-263-1599	Other Facility Data 36 06' 48" -94 13' 30"
Name, Address of Responsible Official/Title/Phone and Fax Number Chris Nall, Aaron Nickell Homes, Inc. 1222 N. Bloomington, Suite F Lowell, Arkansas 72745 479-871-2883 (ph)	Contacted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

S	Permit	N	Flow Measurement	N	Operations & Maintenance	N	CSO/SSO
U	Records/Reports	N	Self-Monitoring Program	N	Sludge Handling/Disposal	U	Pollution Prevention
U	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
N	Effluent/Receiving Waters	N	Laboratory	N	Storm Water	N	Other:

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

The following violations were noted:

1. Site not posted in a prominent place for public viewing.
2. Inspections not conducted as required by the SWPPP.
3. Sediment controls not maintained and inadequate or absent in areas.
4. No record of major grading activities.
5. Offsite tracking present at west entrance.
6. SWPPP map not kept current.
7. SWPPP incomplete. Only SWPPP map and inspection forms on site.

Name(s) and Signature(s) of Inspector(s) 	Agency/Office/Telephone/Fax Arkansas Dept. of Environmental Quality/Fayetteville/479-267-0816/479-267-0819	Date 4/27/07
Signature of Reviewer	Agency/Office/Phone and Fax Numbers	Date

NPDES Storm Water Construction Site Assessment

Site Name: St. James Park Subdivision

Permit #: ARR151959

Lat: 36 06' 48" °N
Long: -94 13' 30" °W

Date: 04/20/07

Total Acreage: 25

Acreage Disturbed: 25

Starting Date: 09/2007

Project Type:

Residential Industrial
 Commercial Roadway
 Other: _____

Construction Stage:

Clearing
 Rough Grading
 Infrastructure
 Other: _____

Building Const.
 Final Stabilization
 Inactive

Permit Type:

General
 Individual
 Unpermitted

Site Posted:

Yes
 No
 Improper

SWPPP:

Yes
 No
 Incomplete

Are stabilization practices satisfactory?

Yes No N/A

List (seeding, mulching, geotextiles, etc.): No record of grading activities; unknown when activity ceased on major portions of site.

Are erosion controls satisfactory?

Yes No N/A

List (silt fences, hay/straw bales, sedimentation ponds, riprap, etc.): Silt fencing, sedimentation pond, west construction entrance pad.

Proper operation and maintenance of all of facility's systems of treatment & control?

Yes No Comments: Controls not maintained, and inadequate or absent in areas.

Evidence of sediment leaving the site?

Yes No

Evidence of off-site tracking?

Yes No

Evidence of sediment entering the Waters of the State?

Yes No

Are inspections conducted and records kept as required in the permit?

Yes No Date of Last
Inspection: _____

4/6/07; SWPPP requires every 7 days.

Is there a rain gauge on-site?

Yes No

Are daily rainfall totals recorded?

Yes No

Comments: See complaint forms for comments.

ADEQ

A R K A N S A S
Department of Environmental Quality

May 4, 2007

Mr. Chris Nall
Aaron Nickell Homes, Inc.
1222 N. Bloomington, Suite F
Lowell, Arkansas 72745

RE: St. James Park Subdivision NPDES Permit Tracking No.: ARR151959

Dear Mr. Nall:

On April 20, 2007, I performed a storm water discharge permit compliance inspection of the subject construction site in accordance with the provisions of the federal Clean Water Act, the Arkansas Water and Air Pollution Control Act, and the regulations promulgated there under. This inspection revealed the following violations:

1. The construction site was not posted in a prominent place for public viewing. This is in violation of Part I.B.7.e of the permit.
2. The storm water pollution prevention plan (SWPPP) was not available on the construction site for review. Only a SWPPP map and inspection forms were on the site. This is in violation of Part II.B.1.b of the permit.
3. Inspections of the construction site were not being performed as required by the SWPPP. According to the SWPPP, inspections of the construction site are required to be performed every 7 days in addition to within 24 hours of the end of a storm that is 0.5 inches or greater. This is in violation of Part II.A.4.e of the permit.
4. The SWPPP was not being kept current. This is in violation of Part II.A.3 of the permit. The plan must be amended whenever there is a change in design, construction, operation, or maintenance which has a significant effect on the potential for the discharge of pollutants to the waters of the State. Compliance with this requirement can be accomplished by indicating on the site map where, in what manner, and on what date modifications of the plan occurred. Each amendment should be initialed by the responsible official. Examples include the SWPPP site map not depicting the position of the relocated north outfall and the current locations of the silt fencing.
5. No record of the dates indicating when major grading activities occurred, when construction activities temporarily or permanently ceased on a portion of the site, and when stabilization measures were initiated was available for review. This is in violation of Part II.A.4.b.i of the permit.
6. Sediment and erosion controls were not being maintained and were inadequate in areas. This is a violation of Part I.C.3 of the permit. Examples include, but are not limited to, absence of sediment controls below the current north outfall locations, sediment atop and over silt fencing along the southern boundary, and improperly adjoined silt fencing in several areas throughout the site.

WATER DIVISION

8001 NATIONAL DRIVE / POST OFFICE BOX 8913 / LITTLE ROCK, ARKANSAS 72219-8913 / TELEPHONE 501-682-2199 / FAX 501-682-0910
www.adeq.state.ar.us

Page Two
Chris Nall
May 4, 2007

7. Presence of moderate off-site tracking at the west entrance. This is in violation of Part II.A.4.b.iii of the permit.

The above items require your immediate attention. Please submit a written response to these findings to the Enforcement Branch of the Water Division when the violations have been corrected. This response should contain documentation describing the course of action taken to correct the items noted. This corrective action should be completed as soon as possible, and the written response is due May 28, 2007.

Please be reminded that during the construction process, you are responsible for the installation of structural measures to control pollutants in storm water discharges that will occur after construction operations have been completed. These practices must be designed so that they effectively prohibit transport of sediment from your site to adjacent properties and the waters of the State. A goal of 80% removal of total suspended solids from these flows which exceed predevelopment levels should be used in designing and installing these storm water management controls. Velocity dissipation devices must be placed at discharge locations and along the length of any outfall channel as necessary to provide a non-erosive velocity flow from the structure(s) to a water course.

If you have any questions concerning these matters, please contact me at 479-267-0811.

Sincerely,

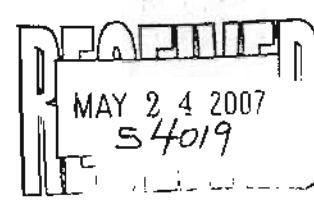


John Fazio
District Field Inspector
Water Division

cc: Permit Branch
Enforcement Branch
Barbara & Des Heyliger

May 22, 2007

Mr. John Fazio
ADEQ, Enforcement Branch
Water Division
8001 National Dr.
Little Rock, AR 72219



RE: St. James Park Subdivision

NPDES Permit Tracking No: ARR151959

Dear Mr. Fazio,

This letter is written in response to your letter dated May 4, 2007 regarding violations to the NPDES Permit for St. James Park Subdivision. As of May 14, 2007, the following violations to the Federal Clean Water Act and the Arkansas Air and Water Pollution Control Act have been corrected. Please see the following actions that have taken place in response to your comments in the aforementioned letter.

1. The Construction Site was not posted in a prominent place for public viewing.
Response: The notice is now placed visibly on the ADEQ/SWPPP mailbox.
2. SWPPP was not available on construction site for review.
Response: SWPPP is now available for viewing; it is located inside the ADEQ/SWPPP mailbox.
3. Inspections of the Construction site are not being performed in accordance with the SWPPP.
Response: Inspections are now being and have been performed in accordance with the SWPPP.
4. The SWPPP is not being kept current. Examples include the SWPPP site map not depicting the position of the relocated North Outfall and the current locations of the silt fencing.
Response: The SWPPP, including the comments mentioned above have been accurately updated.

5. No record of dates indicating when major grading activities have occurred, when construction has temporarily or permanently ceased on a portion of the site and when stabilization measures were initiated.

Response: All forms according to the SWPPP including the mentioned above, have been accurately filled out and are on-site for viewing at the front entrance.

6. Sediment and Erosion Controls are not being maintained and are inadequate in areas.

Response: Erosion Control around site has been corrected.

7. Presence of moderate off-site tracking at the west entrance.

Response: B-stone has been ripped and replaced at West Entrance and roadway has been cleaned.

All violations have been corrected and are currently in accordance with the best management practices set forth in the SWPPP. I have included pictures to show the exact measures we have taken on these matters. I apologize for these violations and we will make sure that we are in compliance with the NPDES Permit. Please feel free to contact me at 479-750-3839 if you have any questions or concerns.

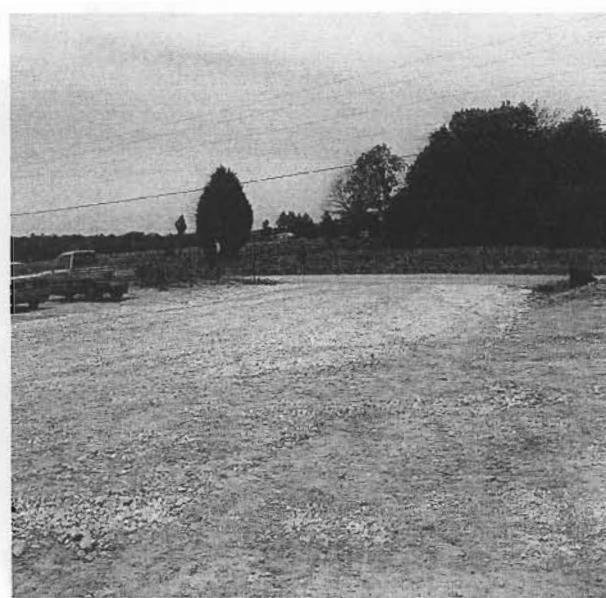
Sincerely,



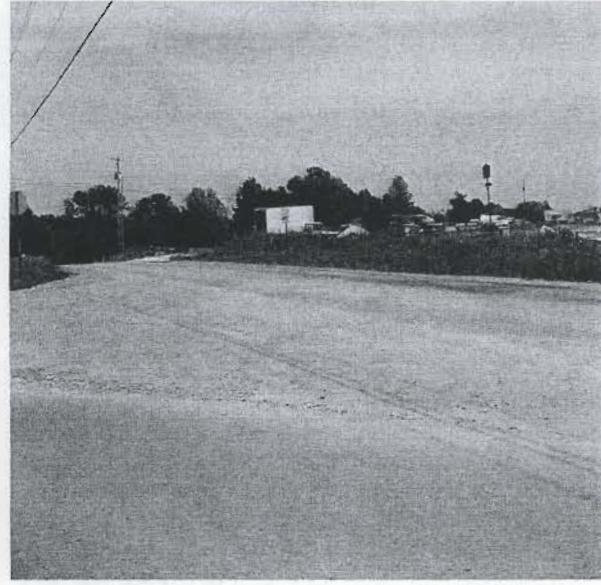
Ben Shankle
General Manager
Lindsey Contracting, LLC



Construction Site Permit has been properly posted and SWPPP is within the ADEQ mailbox.



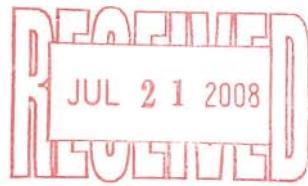
B-stone has been added to the construction entrance to prevent offsite tracking.



West entrance roadway has been cleared of tracking and debris.



Silt Fence has been added around areas where underground boring is taking place.



Riggins Construction and Development
3323 Wagon Wheel Road
Springdale, Arkansas 72762

ATTN: Mr. Kendall Riggins

RE: St. James Park Subdivision

According to the Washington County records, you have purchased lots in St. James Park Subdivision. The five lots on the east and west side, on Silk Rose Avenue, step down to a large underground drainage system which flows directly on my property (see enc. photo). If it were done properly, Lindsey Contracting LLC should have installed a detention pond. Wildflower Development, to your east, has a detention pond and I have no problems with drainage.

There are copies of violations on record for St. James Park Subdivision from ADEQ by John Fazeo, District Field Inspector Water Division.

I am concerned about any erosion and damages to my property in the future.

Sincerely,

Barbara J. Heyliger
Clabber Creek Farm
2462 N. Hughmount Road
Fayetteville, Arkansas 72704
(479) 443-2909

Enc.: Photo

Cc: John D. Lindsey,
Lindsey Contracting LLC

John Fazio,
ADEQ



Scanned

JUL 21 2003

Mailroom